

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF DELAWARE

CYBERFONE SYSTEMS, LLC,)	
)	
Plaintiff,)	
)	
v.)	C.A. No. 11-827 (SLR)
)	
CELLCO PARTNERSHIP, et al.,)	
)	
Defendants.)	
)	
<hr/> CYBERFONE SYSTEMS, LLC,)	
)	
Plaintiff,)	
)	
v.)	C.A. No. 11-829 (SLR)
)	
CNN INTERACTIVE GROUP, INC., et al.,)	
)	
Defendants.)	
)	
<hr/> CYBERFONE SYSTEMS, LLC,)	
)	
Plaintiff,)	
)	
v.)	C.A. No. 11-831 (SLR)
)	
AMAZON.COM, INC., et al.,)	
)	
Defendants.)	
)	
<hr/> CYBERFONE SYSTEMS, LLC,)	
)	
Plaintiff,)	
)	
v.)	C.A. No. 12-116 (SLR)
)	
KNOLOGY INC.,)	
)	
Defendant.)	
<hr/>)	

**NOTICE OF SUBSEQUENT AUTHORITY IN FURTHER SUPPORT OF THE MOVING
DEFENDANTS' MOTION FOR SUMMARY JUDGEMENT OF INVALIDITY**

Pursuant to D. Del. L. R. 7.1.2(b), the Moving Defendants hereby submit this Notice of Subsequent Authority in further support of their Motion for Summary Judgment of Invalidity of U.S. Patent No. 8,019,060 Under 35 U.S.C. § 101 (D.I. 227 in C.A. No. 11-827-SLR), which is currently pending and scheduled for hearing on July 31, 2012. Yesterday, July 26, 2012, the Federal Circuit issued the attached Opinion in *Bancorp Serv's, LLC v. Sun Life Assurance Co. of Canada (U.S.)*, affirming the district court's summary judgment ruling that U.S. Patent Nos. 5,926,792 and 7,249,037 claim patent-ineligible abstract ideas and therefore are invalid under 35 U.S.C. § 101. C.A. No. 2011-1467, slip op. (Fed. Cir. July 26, 2012) (Ex. A).

MORRIS, NICHOLS, ARSHT & TUNNELL LLP

/s/ Paul Saindon

Jack B. Blumenfeld (#1014)
Karen Jacobs Loudon (#2881)
Paul Saindon (#5110)
1201 N. Market Street
P.O. Box 1347
Wilmington, DE 19899-1347
(302) 658-9200
jblumenfeld@mnat.com
klouden@mnat.com
psaindon@mnat.com

With Authority of the Moving Defendants

July 27, 2012

6124267